

# RE-ORGANIZATION OF THE CLERICAL FORCE OF THE LAND-OFFICE.

JANUARY 27, 1873.—Ordered to be printed, to accompany bill H. R. 1790.

Mr. STEVENSON, from the Committee on Public Lands, submitted the following papers:

## DEPARTMENT OF THE INTERIOR, GENERAL LAND-OFFICE, *Washington, D. C., January 20, 1873.*

DEAR SIR: According to promise I send you a statement showing the salaries allowed to clerks in the Bureaus of the various Departments, from which you will readily perceive that the Land-Office, which, considering the character and amount of work it has to perform, needs the best talent that can be procured, has, in fact, the poorest provision in the matter of salaries, and consequently the poorest organization.

For instance, the Land-Office, which employs this year 151 permanent and 30 temporary clerks, making a total of 181, has, counting the chief clerk, recorder, director, 3 principal clerks, and 3 fourth-class clerks, only 9 clerks in all, or about 1 in 20, above the third-class, and not one who receives a salary of over \$2,000, while the Patent-Office, which has a force of 189, but 7 more than that employed by the Land-Office, has 1 deputy-commissioner and 3 examiners in chief who receive a salary of \$3,000 each; 27 examiners and clerks who receive a salary of \$2,500 each; 1 clerk at a salary of \$2,000; and 23 clerks of class 4, at \$1,800 each; making 61 clerks who receive salaries ranging from \$1,800 to \$3,000, or about 1 in 3 above the third-class.

The Internal Revenue Bureau, which has a force of 172, including deputy-commissioners, or 9 less than the force now employed by the Land-Office, pays 1 deputy-commissioner \$3,500; 2 deputy-commissioners \$2,000 each; 7 heads of division \$2,500 each, or \$100 more than I ask for the heads of division in the Land-Office; and 34 clerks of class four, \$1,800 each, or 1 in 4 above the third class.

The United States Treasurer's Office, which employs 65 clerks, pays 2 of them \$2,800 each; 1, \$2,500; 9 chiefs of division, \$2,200 each; 3 clerks, \$2,000 each; and 15, \$1,800 each; making a total of 30 clerks, or nearly one-half the entire force, who receive salaries ranging from \$1,800 to \$2,800 per annum. The Treasurer is also allowed by law the sum of \$8,500 with which to still further augment the salaries of his clerks at his discretion.

The Register of the Treasury employs 47 clerks, 22, or nearly one-half, of whom receive salaries ranging from \$1,800 to \$2,200.

The Bureau of Statistics employs 37 clerks, 1 of whom receives \$2,500; 1, \$2,000; and 12, \$1,800 each.

The Department of Agriculture employs 36 clerks and scientists, 13 of whom receive salaries ranging from \$1,800 to \$2,500.

I might continue the comparison, but the foregoing will, I trust, be sufficient to show that the allowance made to the Land-Office is utterly

inadequate, when we take into consideration not only the character of the work, the talent required in its execution, but also the rapid increase of business.

You mentioned the fact that it had been suggested that such progress had been made by me in bringing up arrearages in the office while carrying on the current business, that more adequate provision would not be necessary in the future. It is true that some progress has been made, since I took charge of the office, in bringing up arrearages, the first year without an addition to the force, and the second year with the help of 30 extra clerks. Without the aid of the 30 temporary clerks I could not have succeeded in bringing up the arrears that I have during the past year, as the increased current business was so great as to require all the regular force, and everything indicates that there will be a much larger increase the coming year; and although I do not ask a continuance of the temporary clerks, I fear that the current business cannot be transacted promptly unless the efficiency of the force can be increased by a thorough re-organization.

The difficulty which the office labors under at present is not so much a lack of numbers as an inability to retain trained, experienced, and capable clerks for the salaries now allowed.

The Land-Office has become a sort of training-school for the education of land lawyers, land commissioners, and clerks for railways and private land companies, and it will remain so unless Congress will, by providing more adequate compensation, induce clerks to retain their positions.

The constant changes taking place in the clerical force, by the retirement of experienced and the introduction of inexperienced clerks, unavoidably lead to numerous errors and mistakes in the transaction of business, to the annoyance and detriment of parties having business with the office.

This would be obviated in a great degree by the re-organization which I propose, and accuracy in the execution of the work secured.

The work of the Land-Office is far more difficult and complex than it was when it was first organized, not alone because of the increase in the amount of business transacted, but because of new laws, such as those relating to railroad-grants, swamp-grants, mining-laws, pre-emption and homestead laws, bounty-lands, agricultural-college scrip, donations to Oregon settlers, Indian treaties, and the acquisition of Mexican territory, which involves the necessity of adjusting numerous Spanish and Mexican land-grants.

In short, I am convinced by the experience of the past two years that the re-organization of the Land-Office is now a matter of urgent and pressing necessity.

I do not think it is quite fair to raise objections to a re-organization on the ground that I have succeeded to some extent in bringing up the arrearages. If it shows anything, it proves that I have made good use of the force furnished me, and that I will use the re-organized force in the same manner.

If I had not so conducted and used the force at my command, Congress might justly and properly decline to make a more adequate provision for the office while under my charge.

Very respectfully, your obedient servant,

WILLIS DRUMMOND,

*Commissioner.*

Hon. JOB. E. STEVENSON,  
*House of Representatives.*

*Salaries allowed to clerks in the Bureaus of the various Departments.*

	\$3,500.	\$3,000.	\$2,500.	\$2,500.	\$2,200.	\$2,000.	Class 4.	Class 3.	Class 2.	Class 1.	Total.
State Department . . . . .					a1	1	9	9	3	8	31
Treasury : *											
Secretary's Office . . . . .				a1		b1	48	30	26	27	133
Architect . . . . .				2		1	2	5		4	14
First Comptroller . . . . .						1	10	12	12	6	44
Second Comptroller . . . . .						1	12	20	28	21	82
Commissioner of Customs . . . . .						1	2	6	9	7	25
First Auditor . . . . .						1	3	10	10	13	37
Second Auditor . . . . .						1	6	54	109	100	270
Third Auditor . . . . .						* 1	15	32	92	51	191
Fourth Auditor . . . . .						1	5	18	12	11	47
Fifth Auditor . . . . .						1	4	8	8	12	33
Sixth Auditor . . . . .						2	8	44	64	37	155
Treasurer's Office . . . . .			2	1	c9	3	15	15	11	9	65
Register's Office . . . . .						2	8	12	15	10	47
Comptroller . . . . .					d1		12	14	12	12	51
Internal Revenue :											
Deputy commissioner . . . . .	1										
Deputy commissioners . . . . .		2									
Heads of divisions . . . . .				7							
Clerks . . . . .							34	48	52	28	172
Light-House Board . . . . .						1	2	2	1	1	7
Bureau of Statistics . . . . .				1		1	12	8	10	5	37
Interior Department :											
Secretary's Office . . . . .					1	5	5	3	4	1	19
Land-Office . . . . .						3	3	25	45	75	181
										30	
Patent-Office :											
Assistant Commissioner . . . . .			1								
Examiners-in-Chief . . . . .			3								
Clerks and examiners . . . . .				27		1	30	31	55	45	189
Indian-Office . . . . .						1	3	8	12	12	36
Pension-Office . . . . .						1	22	52	84	126	285
Bureau of Education . . . . .						1	2	2	1		6
Department of Agriculture . . . . .				1		4	8	6	7	10	36
Post-Office Department . . . . .			e3	1	1	4	14	61	50	53	187
War Department . . . . .				1		3	7	9	30	20	70
Adjutant General's Office . . . . .						1	2	9	27	26	65
Quartermaster-General's Office . . . . .						1	3	8	20	75	107
Paymaster-General's Office . . . . .						1	4	9	23	12	49
Commissary-General's Office . . . . .						1		1	8	15	25
Surgeon-General's Office . . . . .						1		1	2	8	12
Chief of Engineers . . . . .						1	3	4	4	4	16
Chief of Ordnance . . . . .						1	3	2	4	6	16
Department of Justice . . . . .		1		1	1	3	6	2	1	1	16
Solicitor of Treasury . . . . .			f1			1	1	3	3	1	10
Navy Department :											
Secretary's Office . . . . .				1		1	4	4	2	3	15
Bureau of Yards and Docks . . . . .			1				3	2	1	1	8
Bureau of Equipment, &c . . . . .							2	1	2	2	7
Bureau of Navigation . . . . .							1	1	1		3
Bureau of Ordnance . . . . .							2	1	2		5
Bureau of Construction . . . . .							3	2	2		7
Bureau of Steam-Engineering . . . . .							2		1	1	4
Bureau of Provisions and Clothing . . . . .							2	2	2	3	9
Bureau of Medicine and Surgery . . . . .							1	1			2

a Chief clerk.

b Deputy clerk.

c Chiefs.

d Deputy Comptroller.

e Superintendents.

f Assistant.

\* The Secretary of the Treasury has an additional sum of \$22,500 for extra compensation to the clerks of his office. In former years the amount has been as large as \$100,000.

The following are the divisions in the General Land-Office, viz :

Division A.—Miscellaneous matter.

B.—Patent and patent-records.

C.—Posting entries and homesteads.

D.—Private land-claims.

E.—Surveys.

F.—Railroads.

G.—Pre-emptions.

H.—Warrants and agricultural college-scrip.

K.—Swamp-lands.

M.—Accounts.

N.—Mining and mineral lands.

*To the honorable Senate and House of Representatives of the United States in Congress assembled :*

The undersigned attorneys, having business before the General Land-Office, beg to represent that in their opinion the interests of the Government as well as of their clients would be consulted by a re-organization of the clerical force of said office as would secure and retain competent men in the highest positions.

At least one-fifth of the legislation of Congress has reference to lands; and in no other Bureau of the Government do occasions more frequently occur for the exercise of a capacity to construe statutes, weigh evidence, and determine titles to valuable claims.

The adjudication of matters of the highest importance, involving the most intricate legal questions, (for the proper disposition of which the highest grade of ability is absolutely required both for the interests of the Government and the rights of private parties having conflicting claims,) is continually devolving upon the heads of divisions and their immediate assistants; and unless the clerks filling those places are qualified by education and special training for the proper discharge of their duties the gravest complications ensue.

In the history of the public-land system it will be found that the public interests have suffered in no inconsiderable measure from the frequent resignation of the best clerks in the General Land-Office. For the services of such men lucrative inducements are always being held out by outside parties; and on their withdrawal their places are filled by others who necessarily lack their experience, special training, and familiarity with the complicated duties involved.

The exigencies of the service require the employment of available men, and at the present salaries the best men are obviously not always available; and in fact, if secured, will not remain long after they attain that acquaintance with the office which is required for outside practice. Hence the interests of our clients suffer, and our own practice before the office is rendered perplexing and embarrassing. In administering the affairs of this office the Commissioner must necessarily depend in a great measure upon the heads of divisions and their assistants; and while we bear cheerful testimony to the present character and ability of the office, it is with regret and apprehension we perceive the gradual but certain depletion of the best portion of its force and the constant change necessitated thereby.

Our intimate relations with the General Land-Office as attorneys practicing before it, representing that part of our citizens for whom popular land legislation has been had, qualifies us to make these representations, and justifies our request for their respectful consideration.

WM. W. JOHNSON.

H. F. CRANE.

BRITTON & GRAY.

J. H. HERRON.

A. G. HEYHURN.

CHIPMAN, HOSMER & CO.

ROBT H. & JAS. L. BRADFORD.

WM. C. MCINTIRE.

JOHN S. HANKE.

JNO. B. BLOSS.

C. C. BAKER & CO.

DR. J. ALVORD.

J. F. STOEK.

E. O. F. HASTINGS.

JOSEPH SYSSOWSKI.

HENRY BEARD.

R. LEECH.

W. H. LOWRY.

J. H. GRAY.

THOS. E. LLOYD.

F. T. STEVENS.

BARTLEY & JENNER.

JAMES H. MANDEVILLE.

NATH'L POPE CAUSIN.

[Extract from the report of the Commissioner of the General Land-Office for 1872.]

During the fiscal year ended June 30, 1872, there were received and registered 55,672 letters, and 45,963 were written and recorded.

In my last annual report I referred to the fact that when I assumed control of the General Land-Office in February, 1871, nearly every branch of the business was largely in arrears. The returns of local land-offices remained unposted for periods ranging from several months to two years. The adjustment of registers' and receivers' accounts was in a similar condition. The field-notes of township surveys, to which it is necessary to make frequent reference, had not been indexed for ten years. About forty-seven thousand pieces of agricultural-college scrip, which had been located, remained on the files of the office uncanceled, and, consequently, in such a condition as to involve the risk of its being abstracted and disposed of fraudulently. Notwithstanding the current business of the office has increased constantly and rapidly, all these arrearages, and many others, have been brought up, and such progress made in the disposition of suspended and contested cases as to justify the belief that, by the end of the present fiscal year, they will be adjusted, and that, thereafter, parties who purchase lands of the Government will not, as heretofore, be subjected to the suspense,

anxiety, and loss consequent upon a delay of a half a dozen years or more in the adjustment of their entries. These results are mainly attributable to the industry and faithfulness of the clerks employed in the office, many of whom not only performed what was required of them, but voluntarily contributed much of their time, after office hours, to the service of the Government.

I beg leave to repeat the suggestions made in my last annual report in relation to the re-organization of the clerical force and appointment of special agents.

When the vast extent of the public domain is taken into consideration, and when it is remembered that the validity of title to each and every tract on which a home may be made depends upon the accuracy with which the first details of transfer from the Government to its grantees are executed, the importance of exercising critical care in the adjustment of all matters pertaining to the disposal of public lands will be apparent.

There is not an owner of a home in many of the States in the prosperous valley of the Mississippi, nor in the rapidly-growing regions beyond that river, who does not depend upon the records of this Bureau for the evidence to complete the chain of title by which his home is held. Even from those regions of the West which have been peopled for the greatest length of time, this office is in constant receipt of applications for certified transcripts of records affecting the validity of title to lands, which for ten, twenty, and even fifty years have been under cultivation.

Were every acre of land now owned by the Government sold or otherwise disposed of, there would still be ample necessity for the perpetuation of this Bureau, with a clerical force by no means small, to afford information and furnish papers respecting the original transfer of title from the Government. In many instances the necessity for these transcripts of records arises from errors and inadvertences, either in construing laws or in the execution of the details of transfer, both of which inevitably lead to expensive and protracted litigation.

With a view to prevent, as far as may be possible, the further occurrence of such cases, I am impelled to call your attention, with the hope that proper legislation to meet the case may be invoked, to the great importance of placing within the reach of this Bureau the means of securing such clerical aid as may be equal to a proper adjustment of the important questions constantly arising before it.

The work of the Bureau should not only be done, but it should be done well. When performed imperfectly it requires double labor to make corrections, and parties are subjected to vexatious delays and unnecessary expense in matters which it is the duty of the Government to render as speedy, simple, and inexpensive as possible. A knowledge of the laws and rulings of the land-system cannot be acquired in a day, but it takes as long and careful study as to acquire a knowledge of any of the professions, and also much experience, before the necessary degree of proficiency is attained. When clerks have once gained this knowledge and experience their services are invaluable to the Government; but it is difficult to retain them, for the reason that the utterly inadequate salaries now paid too often fail to induce the more competent clerks to remain in the Bureau after becoming fully conversant with the laws and Department rulings relating to our land-system, there being always more advantageous opportunities to exercise that knowledge in legitimate pursuits outside of the office at rates of compensation with which the Government, under existing laws, cannot compete. The statutes relating to public lands are numerous and complicated. In construing them, and in the adjustment of adverse claims arising under them, the questions this office is required to decide are sufficiently intricate to demand the best legal ability. The interests at stake are almost invariably of great moment, in most cases involving the lawful and peaceable possession and enjoyment of the lands of men struggling through poverty to secure, by hard industry, for themselves and families a home. To dispose of these questions in a proper manner, competent clerks should be employed and retained. This cannot be done for the compensation now allowed by law.

The heads of the various divisions of the Bureau are charged with a responsibility second only to the head of the Bureau, and should, in my opinion, receive a salary of not less than \$2,400 per annum. The number of clerks of the higher grades should be increased; a proportionate number could be taken from the clerks of the first class. Under a reorganization like this the work will be done better, and there will be an actual saving of time and money by the avoidance of errors in its execution.

In the offices subordinate to the General Land-Office—the offices of surveyors general, registers of district land-offices, and receivers of public moneys—a growing necessity exists for some new system, by which a more direct control can be had of the details of business pertaining to those offices, and by which irregularities may be corrected. It is a matter due alike to the public at large and the officers concerned. A constant source of annoyance is found in the frequent complaints alleging official malfeasance on the part of land-officers, which come from every part of the country where the land-system extends. It is but just to say that in many instances these complaints emanate from designing men or disappointed speculators, and are often utterly ground-



less when subjected to investigation. They nevertheless come in such shape as to require the time, trouble, and expense of a formal recognition and investigation. On the other hand, the charges are often well founded, and the protection of this office is invoked to prevent practices oppressive to the people. In either case the facilities of this Bureau should be sufficient to enable it to acquit its subordinates of charges when wrongfully made, or to fasten upon them the evidence of their malfeasance where they have been rightfully accused. Under present statutory provisions there is no adequate method by which satisfactory investigations can be made. It is true that a register can be called upon to report as to the alleged misconduct of a receiver, or *vice versa*; but the official relations of those officers are generally such as to render these investigations unreliable. Even when a special agent is delegated to examine into alleged misconduct, which can only be done at great inconvenience and expense, he finds himself embarrassed by his want of authority to compel the attendance of witnesses. What is needed, and for which I respectfully ask, is the authority to appoint two special agents, to be constantly in the employ of this Bureau, who may become familiar with the land-laws and regulations, and who shall, subject to orders from this office, visit the different land-districts with a view to examine into and report upon the manner in which the business is conducted. A salary of \$2,500 per annum should, in my opinion, be affixed to such office, and, in addition, the actual expenses of the agent while on duty should be borne. It is a system not new to other Departments of the Government, and it is believed to have been productive of a salutary effect in its workings.

That such a system, if adopted in connection with the administration of affairs of the Land-Bureau, would result in subserving a good purpose, I have no doubt. Not only would the General Land-Office be kept in closer *rappor*t with the district officers; the officers be afforded an opportunity of explaining any false charges which might be brought against them; the people secured in their rights against the unlawful acts of bad officers; but a great desideratum would be attained in having some one to superintend the removal of district officers, the opening of new offices, and the giving of instructions to officers when, without previous experience, they are appointed to those positions—matters which have, from the foundation of the Government to the present time, been productive of great hinderance to the smooth and correct working of the land-system.

In changes of the officers referred to, which are frequent, the new appointees in a majority of cases bring to the discharge of their duties no experience or previous knowledge of such duties. From the very first day of their official life business is forced upon them, and they are compelled to decide cases or construe statutes, and in their inexperience commit errors which may invalidate the title to hundreds of homesteads and prejudice the rights of hundreds of citizens. The details of business, so necessary to dispatch and correctness, can be learned only by long experience; and, before that is acquired, numerous complications arise. The result is seen in the mass of cases that burden our files and consume the time of the office—a result that could be avoided if this office possessed the facilities for sending competent persons to the spot to instruct the officers and start them aright.

In the correction of the evils alluded to by the appointment of special agents as herein asked, the Government would save directly a very large amount over the appropriation necessary to meet the expenses, while the saving, both of money and trouble, to the public would be probably still greater.

Respectfully submitted.

WILLIS DRUMMOND.

*Commissioner.*

The Hon. SECRETARY OF THE INTERIOR.

The following table exhibits the progress of surveys and the disposal of public lands since the fiscal year ended June 30, 1861:

Fiscal year ended June 30—	Surveying-districts.	Land-offices.	Cost of survey.	No. of acres surveyed.	No. of acres disposed of.
1862.....	9	58	\$219,000 00	2,673,132	1,337,922.00
1863.....	11	54	151,840 00	2,147,981	2,966,698.00
1864.....	10	53	172,906 00	4,315,954	3,238,865.00
1865.....	10	53	170,721 00	4,161,778	4,513,738.00
1866.....	10	61	186,389 88	4,267,037	4,629,312.00
1867.....	12	62	423,416 22	10,805,314	7,041,114.00
1868.....	13	68	325,779 50	10,170,656	6,665,742.00
1869.....	12	66	497,471 00	10,822,812	7,666,151.00
1870.....	17	81	560,210 00	18,165,278	8,095,413.00
1871.....	17	83	683,910 00	22,016,607	10,765,705.00
1872.....	17	92	1,019,378 66	29,450,939	11,864,975.64

This shows an increase of the number of surveyors-general from nine to seventeen, and of land-offices from fifty-eight to ninety-two, and an increase in the annual survey from 2,673,132 acres to 29,450,939 acres, and an increase in the number of acres disposed of from 1,337,932 to 11,864,975.64, for the year ended June 30, 1872.

The appropriation for the present fiscal year was \$772,000, and there has been a corresponding increase in the amount of work executed in the field, but full returns have not yet been received.

